



REVIEW COMMITTEE

7.1 -Just cause for discipline.

Temp Frmn used poor judgment while trying to repair gas leak.

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
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DEC 30 1991

**CASE CLOSED
LOGGED AND FILED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED DEC 20 1991

General Construction Grievance No. 3-2152-90-97
P-RC 1538

December 9, 1991

BYRON TOMLINSON, Company Member
G.C. Joint Grievance Committee

BARRY HUMPHREY, Union Member
G.C. Joint Grievance Committee

Subject of the Grievance:

Temporary Working Foreman "B" in the Gas T&D Department was issued a DML for willful neglect of safe work practices.

Facts of the Case:

The Grievant is a 25-year employee who has held various equipment operating classifications in the Gas T&D Department including Working Foreman "B". The grievant had no active discipline prior to the time the DML was issued.

The incident that triggered the discipline was the grievant's failure to properly repair a gas leak resulting in a risk to himself, crew members and the public. The grievant jumped into a trench and accidentally knocked off a service tee on a four-inch cast iron main. In order to repair the leak, the grievant went to division yard for a clamp. The clamp was not effective in stopping the leaking gas. The grievant went back to the yard again for a second clamp and again the grievant was unsuccessful in stopping the leak. While the gas was leaking, the crew went to lunch. At approximately 1:10 p.m., three hours and 10 minutes after the leak had started, the grievant was overcome by the fumes causing him to pass out and fall hitting his head and shoulder. The grievant's crew members performed CPR until paramedics could transport him to a hospital.

It was noted in the testimony that the grievant had received training on working with live gas and the use of flash suits.

December 9, 1991

The General Foreman testified that the grievant should have requested assistance from Emeryville or Division in making the repairs; that it was visually apparent the leak could not be repaired by the method employed by the grievant; that the excavation was insufficient and did not allow enough room around the leak area; that the Fire Department should have been called.

The grievant was upgraded on a time card basis. He held the Working Foreman "B" rate for a year and five months before he voluntarily removed himself. He also did not have a Temporary or Permanent Upgrade sheet on file indicating an interest in the Working Foreman "B" position.

Discussion and Disposition:

The Committee agrees that discipline is warranted in this case. However, what is in dispute is the degree of discipline. After another incident, the Company sent the grievant for a Medical Clarification and it left some doubt as to whether the grievant is capable of being a Working Foreman.

The grievant used poor judgement and endangered himself, his crew and the public and should be disciplined. Based on the Medical Clarification and the fact that there was no Temporary/Permanent Upgrade form on file to indicate if the grievant was interested or qualified, the Committee agreed to reduce the DML to a Written Reminder.

This case is considered closed as per the above and such closure should be so noted in the Joint Grievance Committee minutes.


DAVID J. BERGMAN, Chairman
Review Committee


ROGER W. STALCUP, Secretary
Review Committee

JAMoffat(223-5665):nj